

No. 2.

AN ACT

To amend an act, approved the seventh day of February, one thousand nine hundred and five (Pamphlet Laws, three), entitled "An act to create the Department of Public Printing and Binding, to carry out the provisions of section twelve, article three, of the Constitution, in relation to the public printing and binding, and the supply of paper and other materials therefor," as amended.

Section 1. Be it enacted, &c., That section one of an act, approved the seventh day of February, one thousand nine hundred and five (Pamphlet Laws, three), entitled "An act to create the Department of Public Printing and Binding, to carry out the provisions of section twelve, article three, of the Constitution, in relation to the public printing and binding, and the supply of paper and other materials therefor," which, as amended by section one of an act, approved the twenty-third day of July, one thousand nine hundred and nineteen (Pamphlet Laws, one thousand one hundred and twenty-eight), entitled "An act to amend an act, approved the seventh day of February, one thousand nine hundred five (Pamphlet Laws, three), entitled 'An act to create the Department of Public Printing and Binding, to carry out the provisions of section twelve, article three, of the Constitution, in relation to the public printing and binding, and the supply of paper and other materials therefor,' as amended," reads as follows:—

Public printing and binding.

"Section 1. Be it enacted, &c., That on the fourth Tuesday of February, one thousand nine hundred and twenty-one, and on the fourth Tuesday of February of every year preceding the expiration of any contract then in force, the Superintendent of Public Printing and Binding hereinafter provided for shall receive proposals for executing the public printing and binding. Such proposals may be received for contracts to cover *either* four or six year terms from the first day of July following, at the rate specified in this act, or at a certain rate per centum below the rate specified in this act; and the said Superintendent of Public Printing and Binding shall, at twelve o'clock meridian of the said day, open all proposals received, in the presence of those bidding, and shall proceed publicly to allot all the printing and binding aforesaid to the person or persons who may propose to execute the same at the highest rate per centum below the rates fixed by the schedule annexed to this act; the allotment to be approved by the Governor, Auditor General, and State Treasurer, and to be of no validity unless approved by them. Each bidder shall accompany his

Section 1, act of February 7, 1905 (P. L. 3), as amended by act of July 23, 1919 (P. L. 1128), cited for amendment.

or their proposals with a sufficient bond to the Commonwealth, with at least two sufficient sureties, or with a surety company authorized to do business in the Commonwealth of Pennsylvania, in the sum of fifty thousand dollars, conditioned for the acceptance of the contract and faithful performance of the work in the manner provided for in this act, if allotted to him or them. Said bond shall have indorsed thereon and annexed thereto the certificate of the president or an additional law judge of the district or districts in which such sureties may reside, or, in case of the absence or other inability of such president and additional law judge, with the certificate of the associate judges of the county or counties in which such sureties may respectively reside, that the said bond and sureties are sufficient to secure the Commonwealth to the amount of the penalty thereof; and the said bond shall contain the further condition that in case the contract is awarded to the person or persons bidding at his or their bid, and the said person or persons refuse or neglect to accept the same, he or they, with his or their sureties aforesaid, shall be liable to the Commonwealth for the difference between the amount of his or their bid and the bid of the person or persons to whom the printing and binding shall be awarded after such neglect or refusal, as provided in the third section of this act," be, and the same is hereby, further amended to read as follows:—

Superintendent
of Public Print-
ing and Binding.

Proposals for
printing.

Opening pro-
posals.

Allotment.

Approval.

Section 1. Be it enacted, &c., That on the fourth Tuesday of February, one thousand nine hundred and twenty-one, and on the fourth Tuesday of February of every year preceding the expiration of any contract then in force, the Superintendent of Public Printing and Binding hereinafter provided for shall receive proposals for executing the public printing and binding. Such proposals may be received for contracts to cover *one, two, four, or six year terms*, from the first day of July following, *any or all*, at the rate specified in this act, or at a certain rate per centum below the rate specified in this act; and the said Superintendent of Public Printing and Binding shall, at twelve o'clock meridian of the said day, open all proposals received in the presence of those bidding, and, *having determined, with the approval of the Governor, Auditor General, and State Treasurer, the term most advantageous to the Commonwealth*, shall proceed publicly to allot for *such term* all the printing and binding aforesaid to the person or persons who may propose to execute the same at the highest rate per centum below the rates fixed by the schedule annexed to this act; the allotment to be approved by the Governor, Auditor General, and State Treasurer, and to be of no validity unless approved by them. Each bidder shall accompany his or their proposals with a sufficient

bond to the Commonwealth, with at least two sufficient sureties, or with a surety company authorized to do business in the Commonwealth of Pennsylvania, in the sum of fifty thousand dollars, conditioned for the acceptance of the contract and faithful performance of the work in the manner provided for in this act, if allotted to him or them. Said bond shall have indorsed thereon and annexed thereto certificate of the president or an additional law judge of the district or districts in which such sureties may reside, or, in case of the absence or other inability of such president and additional law judge, with the certificate of the associate judges of the county or counties in which such sureties may respectively reside, that the said bond and sureties are sufficient to secure the Commonwealth to the amount of the penalty thereof; and the said bond shall contain the further condition that in case the contract is awarded to the person or persons bidding at his or their bid, and the said person or persons refuse or neglect to accept the same, he or they, with his or their sureties aforesaid, shall be liable to the Commonwealth for the difference between the amount of his or their bid and the bid of the person or persons to whom the printing and binding shall be awarded after such neglect or refusal, as provided in the third section of this act.

Bond of bidders.

Section 2. That section twenty three of said act of one thousand nine hundred and five, which, as amended by section seven of an act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred and ten), entitled "An act to amend sections one, ten, fourteen, sixteen, eighteen, twenty-one, twenty-three, twenty-five, twenty-eight, thirty-one, thirty-four, thirty-five, thirty-seven, thirty-eight, and forty-two, of an act, entitled 'An act to create the Department of Public Printing and Binding, to carry out the provisions of section twelve, article three, of the Constitution, in relation to the public printing and binding, and the supply of paper and other materials therefor,' approved the seventh day of February, Anno Domini one thousand nine hundred and five; by further regulating said department, and by further regulating the public printing and binding and the supply of paper and other materials therefor," now reads as follows:—

Section 23, act of February 7, 1905 (P. L. 3), as amended by act of May 11, 1911 (P. L. 210), cited for amendment.

"Section 23. The person or persons to whom the said contract for furnishing paper, envelopes, and other supplies shall be awarded, shall keep in stock the necessary paper, envelopes and supplies; and the Superintendent of Public Printing and Binding shall, when necessary, make an order on him or them for an amount required for each order of printing, including in such order five per centum in excess of the amount actually required for runs of five thousand or less, and

three per centum for runs exceeding five thousand; said per centum to be allowed the contractor or contractors for spoiled sheets. Where paper is to be ruled, two per centum additional to above is to be allowed for spoiled sheets. All paper, envelopes and other supplies shall be delivered to the contractor or contractors without any charge for freight, drayage, or boxing. With each order issued by the Superintendent of Public Printing and Binding for paper, envelopes, and other supplies, the said Superintendent shall specify thereon a time limit for the delivery at the place where the printing for the State is executed; and, in default of delivery at the time specified, the Superintendent of Public Printing and Binding is hereby empowered to go into the open market and purchase the necessary paper, envelopes, and other supplies, and report the difference in cost to the Auditor General, who shall deduct the said difference in cost from the next bill presented by the person or persons having the contract for supplying the State with such paper, envelopes, and other supplies, and who had failed to deliver same according to this section. The Superintendent may also deposit with the contractor or contractors for the State printing and binding such an amount of paper as he may deem necessary to promptly execute the printing of the State, and the said contractor or contractors is or are hereby required to provide a suitable place for the storage of such paper without expense to the Commonwealth," is hereby amended to read as follows:—

Contractor shall keep supplies in stock.

Delivery of supplies.

Allowances for spoilage.

Section 23. The person or persons to whom the said contract for furnishing paper, envelopes, and other supplies shall be awarded, shall keep in stock the necessary paper, envelopes and supplies, to be delivered on order of the Superintendent of Public Printing and Binding.

In furnishing paper and other supplies to the contractor or contractors for printing and binding for the execution of orders for blank books and numbered jobs which require the delivery of a fixed number, the Superintendent of Public Printing and Binding shall determine and furnish an additional quantity as an allowance for spoilage.

In furnishing paper and other supplies to the contractor or contractors for printing and binding for the execution of orders for all other miscellaneous printing, the Superintendent of Public Printing and Binding shall furnish to said contractor or contractors the net amount of paper and supplies required therefor only; and in the execution of such order the said contractor or contractors shall deliver to the order of such Superintendent the net amount less a reasonable allowance for spoilage, to be determined by such Superintendent; otherwise the amount undelivered in excess

of such allowance shall be certified by such Superintendent to the Auditor General, who shall compute the value thereof, and deduct the same from any moneys due the said contractor or contractors from the Commonwealth.

In furnishing paper and other supplies to the contractor or contractors for printing and binding for the execution of orders for book and pamphlet printing, the Superintendent of Public Printing and Binding shall furnish as allowance for spoilage an additional amount as follows:

Three per centum where the work requires five thousand press runs or more, and five per centum where the work requires less than five thousand press runs.

All paper, envelopes, and other supplies shall be delivered to the contractor or contractors without any charge for freight, drayage, or boxing. With each order issued by the Superintendent of Public Printing and Binding for paper, envelopes, and other supplies, the said Superintendent shall specify thereon a time limit for the delivery at the place where the printing for the State is executed; and, in default of delivery at the time specified, the Superintendent of Public Printing and Binding is hereby empowered to go into the open market and purchase the necessary paper, envelopes, and other supplies, and report the difference in cost to the Auditor General, who shall deduct the said difference in cost from the next bill presented by the person or persons having the contract for supplying the State with such paper, envelopes and other supplies, and who had failed to deliver same according to this section. The Superintendent may also deposit with the contractor or contractors for the printing and binding such an amount of paper as he may deem necessary to *properly* execute the printing of the State, and the said contractor or contractors is or are hereby required to provide a suitable place for the storage of such paper without expense to the Commonwealth, which shall at all times be in charge and under the control of an employe of the Department of Public Printing and Binding.

Delivery, drayage and boxing of supplies.

Time limit for delivery.

Deposit of paper with contractor.

Employe of State in charge of storehouse.

APPROVED—The 16th day of February, A. D. 1921.

WM. C. SPROUL.